

PATENT
2950-0141P

IN THE U.S. PATENT AND TRADEMARK OFFICE

APPLICANT: Je H. LEE et al.

SERIAL NO.: 09/118,824
(Subsequently reissued as U.S. RE38,868 on
November 8, 2005)
(Reissue of U.S. Patent No. 5,587,789, which issued on
December 24, 1996)

FILED: July 20, 1998

FOR: APPARATUS AND METHOD FOR CONTROLLING
RECORDING AND REPRODUCTION IN DIGITAL
VIDEO CASSETTE TAPE RECORDER

SUPPLEMENTAL DECLARATION OF TAE SEOK YANG

This Supplemental Declaration is supplemental to the Combined Declaration and Power of Attorney filed on April 13, 1994, which was filed in relation to U.S. application 08/227,281. This Supplemental Declaration is also supplemental to the Combined Reissue Declaration and Declaration of Attorney filed on July 20, 1998, the Supplemental Reissue Declaration filed on December 20, 1999, and the Supplemental Declaration For Reissue Patent Application To Correct "Errors" Statement filed on June 4, 2002, each of which was filed in relation to U.S. reissue application 09/118,824.

I, Tae Seok Yang, hereby declare as follows:

My name, residence and citizenship are indicated below.

I am a named co-inventor of U.S. RE38,868, which reissued on November 8, 2005 from reissue application 09/118,824 ("the '824 Reissue Application").

RE38,868 is a reissue of U.S. Patent 5,587,789 ("the '789 patent"), which issued on December 24, 1996 from U.S. patent application 08/227,281 ("the '281 Application"), of which I also am a named co-inventor.

A. The Declaration Related to the '281 Application

On or before April 6, 1994, I received a draft of the '281 Application from Mr. Gi-Up Cho of LG Electronics Inc. ("LGE") in both the Korean and English language, which I reviewed and understood. Mr. Cho also informed me that a Combined Declaration and Power of Attorney ("Declaration") was required for the '281 Application, and he generally explained its content to me. After receiving his explanation, I authorized Mr. Cho to have my name signed on my behalf at the end of the Declaration. Upon information and belief, the executed document was filed in the U.S. Patent and Trademark Office ("USPTO") on April 13, 1994. By authorizing Mr. Cho to have my name signed on my behalf, I did not intend to deceive the USPTO.

B. The Declarations Related to the '824 Reissue Application

On May 19, 1998, I understood and personally signed the Combined Reissue Declaration and Power of Attorney ("Reissue Declaration") related to the '824 Reissue Application. Upon information and belief, the Reissue Declaration was filed in the USPTO on July 20, 1998.

On December 10, 1999, I understood and personally signed the Supplemental Reissue Declaration related to the '824 Reissue Application. Upon information and

belief, the Supplemental Reissue Declaration was filed in the USPTO on December 20, 1999. By the time I signed the Supplemental Reissue Declaration, I was no longer employed by LGE.

On or before May 28, 2002, I received a telephone call from Mr. Yeo Han Yun of LGE, who informed me that a Supplemental Declaration For Reissue Patent Application To Correct "Errors" Statement (37 CFR 1.175) ("Second Supplemental Declaration") was required for the '824 Reissue Application. Mr. Yun explained to me the substance of the Second Supplemental Declaration over the telephone in the Korean language. I told Mr. Yun that the Second Supplemental Declaration was correct, and I authorized Mr. Yun to have my name signed on my behalf at the end of the document. Upon information and belief, the executed document was filed in the USPTO on June 4, 2002. By authorizing Mr. Yun to have my name signed on my behalf, I did not intend to deceive the USPTO.

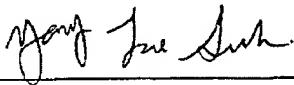
I have re-read and re-reviewed all of the statements made in each of the above-identified declarations, copies of which are attached hereto as Exhibits A-D, and I reaffirm that all of the statements made therein of my own knowledge are true, and that all statements made therein on information and belief are believed by me to be true.

I further declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed by me to be

Attorney Docket No. 2950-0141P
Serial No. 09/118,824

true. These statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of RE38,868.

Tae Seok YANG

Signature: 

Date: 03/06/08

Residence: Seoul, Korea

Citizenship: Republic of Korea

Address: 132-1303 Lotte Apt. Soonae-Dong Bundang-Gu Soengnam-Shi,
Kyunggi-Do, KOREA

EXHIBIT A

PLEASE NOTE:
TO COMPLETE THE
FOLLOWING:

COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT AND DESIGN APPLICATIONS

ATTORNEY DOCKET NO.
630-401P

As a below named inventor, I hereby declare that: my residence post office address and citizenship are as stated next to my name; that I verify believe that I am the original, first and sole inventor (if only one inventor is named below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: APPARATUS FOR CONTROLLING RECORDING AND REPRODUCTION
IN DIGITAL VIDEO CASSETTE TAPE RECORDER

Check Box If
Appropriate —
For Use Without
Specification
Attached

the specification of which is attached hereto unless one of the following boxes is checked:

The Specification was filed on _____ and was assigned
Serial No. _____ and was amended on _____
 was filed as PCT international application number _____ on _____
and was amended under PCT Article 19 on _____
(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (six months for designs) prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows:

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below:

Prior Foreign Application(s)

Priority Claimed

Foreign Priority
Information
(If Applicable)

6441/1993 (Number)	Korea (Country)	April 16, 1993 (Month/Day/Year Filed)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
_____ (Number)	_____ (Country)	_____ (Month/Day/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____ (Number)	_____ (Country)	_____ (Month/Day/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____ (Number)	_____ (Country)	_____ (Month/Day/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____ (Number)	_____ (Country)	_____ (Month/Day/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No

All Foreign Applications, if any, for any Patent or Inventor's Certificate Filed More Than 12 Months (6 Months for Designs) Prior To The Filing Date of This Application:

Country	Application No.	Date of Filing (Month/Day/Year)
_____	_____	_____

I hereby claim the benefit under Title 35, United States Code, §120, of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	(Status — patented, pending, abandoned)
_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status — patented, pending, abandoned)

*NOTE: Must be completed.

630-401P

I hereby appoint the following attorneys to prosecute this application and/or an international application based on this application and to transact all business in the Patent and Trademark Office connected therewith and in connection with the resulting patent based on instructions received from the entity who first sent the application papers to the attorneys identified below, unless the inventor(s) or assignee provides said attorneys with a written notice to the contrary.

RAYMOND C. STEWART (Reg. No. 21,066)
 JOSEPH A. KOLASCH (Reg. No. 22,463)
 JAMES M. SLATTERY (Reg. No. 26,380)
 DONALD C. KOLASCH (Reg. No. 27,038)
 CHARLES GORENSTEIN (Reg. No. 29,221)
 LEONARD R. SVENSSON (Reg. No. 30,330)
 MARC S. WEINER (Reg. No. 32,181)

TERRELL C. BIRCH (Reg. No. 19,383)
 ANTHONY L. BIRCH (Reg. No. 26,122)
 BERNARD L. SWEENEY (Reg. No. 23,448)
 MICHAEL K. MUTTER (Reg. No. 29,680)
 GERALD M. MURPHY, JR. (Reg. No. 28,977)
 TERRY L. CLARK (Reg. No. 31,644)
 ANDREW D. MEIKLE (Reg. No. 32,368)

PLEASE NOTE:
 YOU MUST
 COMPLETE THE
 FOLLOWING:

Send Correspondence to: **BIRCH, STEWART, KOLASCH AND BIRCH**

P.O. Box 747
 Falls Church, Virginia 22040-0747
 Telephone: (703) 205-8000
 Facsimile: (703) 205-8050

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1-72			
Full Name of First or Sole Inventor: <input checked="" type="checkbox"/> Inventor <input type="checkbox"/> Joint Inventor <input type="checkbox"/> This Document is Dated <input type="checkbox"/> Inventor's Residence <input type="checkbox"/> Inventor's Citizenship		GIVEN NAME <u>Je Hyung LEE</u>	FAMILY NAME
		INVENTOR'S SIGNATURE <u>Je Hyung Lee</u>	
		DATE <u>4/6/94</u>	
Full Name of Second Inventor, If any: <input type="checkbox"/> see above		RESIDENCE (City, State & Country) <u>Seoul, Korea</u>	CITIZENSHIP <u>Rep. of Korea</u>
Duly Not Post Office Address		POST OFFICE ADDRESS (Complete Street Address including City, State & Country) <u>35-30, Hwayang-Dong, Sungdong-Ku, Seoul, Korea</u> <i>K.R.</i>	
Full Name of Second Inventor, If any: <input type="checkbox"/> see above		GIVEN NAME <u>Soo Kyung KIM</u>	FAMILY NAME
		INVENTOR'S SIGNATURE <u>Soo Kyung Kim</u>	
		DATE <u>4/6/94</u>	
Full Name of Third Inventor, If any: <input type="checkbox"/> see above		RESIDENCE (City, State & Country) <u>Seoul, Korea</u>	CITIZENSHIP <u>Rep. of Korea</u>
Full Name of Fourth Inventor, If any: <input type="checkbox"/> see above		POST OFFICE ADDRESS (Complete Street Address including City, State & Country) <u>237-188, Sinsa-Dong, Eunpyung-Ku, Seoul, Korea</u> <i>K.R.</i>	
		GIVEN NAME <u>Sang Joon WOO</u>	FAMILY NAME
		INVENTOR'S SIGNATURE <u>Sang Joon Woo</u>	
		DATE <u>4/6/94</u>	
Full Name of Fifth Inventor, If any: <input type="checkbox"/> see above		RESIDENCE (City, State & Country) <u>Seoul, Korea</u>	CITIZENSHIP <u>Rep. of Korea</u>
Must be completed on this document is		POST OFFICE ADDRESS (Complete Street Address including City, State & Country) <u>42-45, Yeokchon-Dong, Eunpyung-Ku, Seoul, Korea</u> <i>K.R.</i>	
		GIVEN NAME <u>Tae Seok YANG</u>	FAMILY NAME
		INVENTOR'S SIGNATURE <u>T. S. Yang</u>	
		DATE <u>4/6/94</u>	
Full Name of Sixth Inventor, If any: <input type="checkbox"/> see above		RESIDENCE (City, State & Country)	CITIZENSHIP
Full Name of Seventh Inventor, If any: <input type="checkbox"/> see above		POST OFFICE ADDRESS (Complete Street Address including City, State & Country)	

EXHIBIT B

FROM: LG MULTIMEDIA PATENT

FAX NO.: 82333 619 5332

68-8710 841108 7.02

PATENT
2922-102P

IN THE U. S. PATENT AND TRADEMARK OFFICE

APPLICANT: Je H. LEE et al.

SERIAL NO.: NEW
(Reissue of U.S. Patent No. 5,587,789)

FILED: (Issued: December 24, 1996)

FOR: APPARATUS AND METHOD FOR CONTROLLING
RECORDING AND REPRODUCTION IN DIGITAL
VIDEO CASSETTE TAPE RECORDER

COMBINED REISSUE DECLARATION AND POWER OF ATTORNEY

As the below named inventors, we hereby declare as follows:

That our names, residence and citizenship are indicated below;

application including original claims 1-22 and newly submitted claims 23-58;

That we acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a);

That we verily believe that we are the original, first and only joint inventors of the invention described and claimed in United States Patent No. 5,587,789 entitled "APPARATUS AND METHOD FOR CONTROLLING RECORDING AND REPRODUCTION IN DIGITAL VIDEO CASSETTE TAPE RECORDER" and in the foregoing specification for which invention we respectfully solicit a reissue patent;

Attorney Docket No. 2922-102P

That we do not know and do not believe that the same invention was ever known or used before our invention or discovery thereof; or patented or described in any printed publication in any country before our invention or discovery thereof, or more than one (1) year prior to the filing of our original application for United States Letters Patent No. 5,587,789 of which that is an application for reissue; or in public use or on sale in the United States of America for more than one (1) year prior to the filing of the original application; that the invention has been patented or made the subject of an inventor's certificate issued before the date of the original application in any country foreign to the United States of America on an application filed by us or our legal representatives or assignees more than twelve (12) months prior to said original application and that no application for patent or inventor's certificate have been filed by us or our legal representatives or assignees in any country foreign to the United States of America before the application of the original patent;

That we verify believe that there are errors in the original patent which make such original patent partially inoperative by reason of claiming less than we had a right to claim and that all errors being corrected in the reissue application up to the time of filing of this declaration arose without any deceptive intent.

That, more specifically, with respect to independent apparatus claim 1, the errors include specific recitation of the detailed functions of the frame recording position controlling means and the frame removing means; that, more specifically, with respect to independent apparatus claim 11, the errors include specific recitation of the detailed functions of the frame position information recording means, with

Attorney Docket No. 2922-102P

respect to index information; that, more specifically, with respect to independent method claims 19, the errors include specific recitation of the details of the calculating step; and that, more specifically, with respect to independent method claim 21, the errors include specific recitation of the details of the recording step with respect to index information;

That for this reason, there are errors in the original patent claims which rendered the original patent partially inoperative by failing to broadly claim the aspects of our invention.

Thus, newly submitted independent claims 23, 33, 42, and 52 are presented to cure the inadequacies of present claims 1-22. Claims 24-32, 34-41, 43-51, and 53-58 are all directly or indirectly dependent from claims 23, 33, 42, and 52, respectively. Each of these dependent claims is necessary to recite other features of the invention or to further define the basic elements of the invention recited in the independent claims. Claims 23-58 are not equivalent in scope to any of claims 1-22.

Upon review of the prior art cited during the examination of the original application, and the further documents submitted herewith, we do not believe that any of the documents disclose or suggest the invention as set forth in any of the claims 1-58, and that we are entitled to the more comprehensive protection represented by newly offered claims 23-58. As such, we believe that all of the claims 23-58 are necessary to protect our invention with claims of varying scope, and to correct for the insufficiencies of claims 1-22.

Applicants hereby offer to surrender the original Letters Patent No. 5,587,789.

860220 12881760

substitute and revocation, to prosecute this application and transact all business in the United States Patent and Trademark Office in connection therewith, and request that all correspondence with respect to this application be directed to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP.
P.O. Box 747
Falls Church, Virginia 22040-0747 USA

Terrell C. Birch	(Reg. No. 19,382)	Raymond C. Stewart	(Reg. No. 21,065)
Joseph A. Kolasch	(Reg. No. 22,463)	James M. Slattery	(Reg. No. 28,380)
Bernard L. Sweeney	(Reg. No. 34,448)	Michael K. Mutter	(Reg. No. 29,680)
Charles Gorenstein	(Reg. No. 29,271)	Gerald M. Murphy, Jr.	(Reg. No. 28,997)
Leonard R. Svensson	(Reg. No. 30,930)	Terry L. Clark	(Reg. No. 32,644)
Andrew D. Metlak	(Reg. No. 32,866)	Marc S. Weiner	(Reg. No. 32,181)
Joe McKinney Muncy	(Reg. No. 32,934)	Andrew F. Reich	(Reg. No. 33,443)
C. Joseph Farad	(Reg. No. 32,350)	Donald J. Daley	(Reg. No. 34,913)

WHEREFORE, the Petitioners hereby offer to surrender, upon the allowance of said application, the original of said Letters Patent and pray that Letters Patent be reissued to Petitioners for the invention of patent claims 1-22 with the newly presented claims 23-58;

The undersigned declares further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and

860240-15887760

Attorney Docket No. 2922-102P

that such willful false statements may jeopardize validity of the application or any
reissue patent issuing thereon.

Je-Hyung LEE

Signature:

Date: 7/13/1998

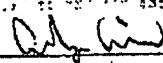
Residence: Seoul, Korea

Citizenship: Republic of Korea

Address: 35-30, Hwayang-Dong, Sungdong-Ku, Seoul, Korea

Soo Kyung KIM

Signature:

Date: 5/19/1998

Residence: Seoul, Korea

Citizenship: Republic of Korea

Address: 237-188, Sinsa-Dong, Eunpyung-Ku, Seoul, Korea

Sang Joon WOO

Signature:

Date: 5/19/1998

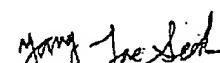
Residence: Seoul, Korea

Citizenship: Republic of Korea

Address: 42-45, Yeakchon-Dong, Eunpyung-Ku, Seoul, Korea

Tae Seok YANG

Signature:

Date: 5/19/1998

Residence: Seoul, Korea

Citizenship: Republic of Korea

Address: 30-42, Sungsan-Dong, Mapo-Ku, Seoul, Korea

EXHIBIT C

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B.N.

PATENT
2950-0141P



IN THE U.S. PATENT AND TRADEMARK OFFICE

APPLICANT: Je H. LEE et al.

SERIAL NO.: 09/118,824
(Reissue of U.S. Patent No. 5,587,789)

FILED: July 20, 1998
(Issued: December 24, 1996)

FOR: APPARATUS AND METHOD FOR CONTROLLING
RECORDING AND REPRODUCTION IN DIGITAL
VIDEO CASSETTE TAPE RECORDER

RECEIVED
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SUPPLEMENTAL REISSUE DECLARATION

Supplemental to the Reissue Declaration filed on July 20, 1998, Applicants hereby
declare as follows:

That our names, residence and citizenship are indicated below;

That we hereby claim foreign priority benefits under Title 35, U.S.C. §119 of prior
Korean application 58080/1996 filed on November 27, 1996; and

That every error in the patent which was corrected in the present reissue
application, and is not covered by a prior oath/declaration submitted in this
application, arose without any deceptive intention on the part of the Applicant.

The undersigned declares further that all statements made herein of my own
knowledge are true and that all statements made on information and belief are believed
to be true; and further that these statements are made with the knowledge that willful

DEC-16-99 10:50 FROM:CISCO SYSTEMS KP WBU

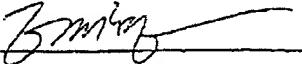
ID:4085272545

PAGE 3/4

Attorney Docket No. 2950-0141P
Serial No. 39/118,824

false statements and the like so made are punishable by fine or imprisonment, or both,
under Section 1001 of Title 18 of the United States Code and that such willful false
~~statements~~ may jeopardize validity of the application or any reissue patent issuing
thereon.

Je Hyung LEE

Signature: 

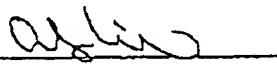
Date: Dec. 16, 1999

Residence: San Jose, CA

Citizenship: Republic of Korea

Address: 350 Elan Village Ln #203, San Jose, CA 95134

Soo Kyung KIM

Signature: 

Date: Dec. 13, 1999

Residence: Seoul, Korea

Citizenship: Republic of Korea

Address: 356, Newsinsung Apt. 102-107 Sinsa-Dong, Eunpyung-Ku,
Seoul, KOREA

Sang Joon WOO

Signature: 

Date: 11/10/99

Residence: Seoul, Korea

Citizenship: Republic of Korea

Address: 4245, Yeokchon-Dong, Eunpyung-Ku, Seoul, KOREA

DEC-16-99 10:50 FRCH-CISCO SYSTEMS KP WBU

ID:4086272545

PAGE 4/4

Attorney Docket No. 2950-014LP
Serial No. 09/118,824

Tae Seok YANG

Signature: *Yang Tae Seok*

Date: 1999/12/10

Residence: Seoul, Korea

Citizenship: Republic of Korea

Address: 132-1303 Lotte Apt. Soonae-Dong Bundang-Gu Soengnam-Shi,
Kyunggi-Do, KOREA

EXHIBIT D

Please type a check sign (x) inside this box —> PTO/SB/15.02-01
 Approved for use through 01/11/2004. GMB 9631-0033
 U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
 Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it contains
 a valid OMB control number.

**SUPPLEMENTAL DECLARATION
 FOR REISSUE
 PATENT APPLICATION
 TO CORRECT "ERRORS" STATEMENT
 (37 CFR 1.175)**

Attorney Docket Number	2950-0141P
First Named Inventor	Je H. LEE et al.
	COMPLETE
Application Number	09 / 118,824
Filing Date	July 20, 1998
Group Art Unit	2615
Examiner Name	T. TRAN



I/We hereby declare that:

Every error in the patent which was corrected in the present reissue application, and which is not covered by the prior oath(s) and/or declaration(s) submitted in this application, arose without any deceptive intention on the part of the applicant.

I/We hereby declare that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:	<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle if any):		Family Name or Surname	
Je Hyung		LEE	
Investor's Signature	Date 2002.5.24		
Name of Second Inventor:	<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle if any)		Family Name or Surname	
Soo Kyung		KIM	
Investor's Signature	Date 2002.5.24		
Name of Third Inventor:	<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle if any)		Family Name or Surname	
San Joon		KOO	
Investor's Signature	Date 2002.5.24		
Name of Fourth Inventor:	<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle if any)		Family Name or Surname	
Tae Sook		YANG	
Investor's Signature	Date 2002.5.24		

Additional inventors are being named on the _____ supplemental Additional Inventor(s) (Petition) PTO/SB/02A attached hereto.

[Page 1 of 1]

Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.